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(ii) Every appointment to any such service, class or category otherwise than by transfer or promotion as aforesaid shall be made from that community which at the time of appointment is most disadvantageously situated with reference to the proportions specified in clause (i); if no qualified and suitable candidate of that community is available, a candidate from the community next in the order of disadvantage who is qualified and suitable shall be appointed. If it is found that the disadvantage of two or more communities is equal, a candidate belonging to any of such communities who is best fitted for the post shall be appointed.

APPENDIX II.

[Vide answer to starred question No. 9 asked by Mr. J. A. Saldanha at the meeting of the Legislative Council held on the 8th August 1939, page 57 supra.]

G.O. No. 16, Finance, dated 20th January 1939.

The Government have decided that the date of compulsory retirement of all ministerial servants under their rule-making control should be fixed as the date on which they attain the age of 55 years and that they should not be retained in service after that date except on public grounds.

The following notification is published:—

NOTIFICATION.

In exercise of the powers conferred by paragraph (*b*) of sub-section (2) of section 241 of the Government of India Act, 1935, His Excellency the Governor is hereby pleased to direct that the following amendments shall be made in the Fundamental Rules and the Subsidiary Rules thereunder, and that these amendments shall apply to all Government servants now in the service of the Provincial Government including those who were in service on 31st March 1937:—

AMENDMENTS.

(1) *For* clause (*a*) of Fundamental Rule 56 and the Note and the delegation thereunder, the following shall be *substituted*, namely:—

"(*a*) *Except as otherwise provided in clause* (*c*) *of this rule, the date of compulsory retirement of a Government servant, whether ministerial or non-ministerial, is the date on which he attains the age of* 55 *years. He shall not be retained in service after that age except with the sanction of the Government on public grounds, which must be recorded in writing, but he must not be retained after the age of* 60 *years except in very special circumstances.*

Note:—This rule does not apply to Government servants treated as in inferior service for the purposes of pension.

TAMIL NADU LEGISLATIVE ASSEMBLY
TRUTH ALONE TRIUMPHS